

FILED

JUL 6 2017

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY DEPUTY

)
)
)

PATRICIA ANN ARPS
Plaintiff

CIV 17 - 722R
Case Number:

Vs

DOLLAR TREE INCORPORATED et.al

All in their official and individual capacities

Defendant(s)

COMPLAINT

The Plaintiff, Patricia A. Arps is a citizen of the State of Oklahoma as is currently acting as a Pro Se Litigant in the cause of action. Plaintiff requests this Honorable Court to construe this complaint liberally see: Haines v. Kerner 404 U.S. 519-520. 92 S Ct. Also, Petitions and/or complaints or even allegations are held to less stringent standard than those formal pleading drafted by Lawyer. See: Anderson v Boyd, 714 F2d 908 (1983)

JURIDICTION

1. Jurisdiction has been established to apply to all parties included in civil procedure.
2. The court has jurisdiction over the Plaintiff claim of violation of Federal Constitutional Rights under Title 28§1332 (c) 1441. And 42 U.S.C. §12102(1)(A)(2)(A&B).
3. The court has jurisdiction over the Plaintiff Federal Tort Claim under Title 12§ 1441, Title 21§ 92, 93, 96. Title 76§ 761. Title 12-1151

COMPLAINT

On Thursday July 7th 2016 I took a lunch break to shop at the Dollar Tree Store located at 1300 Gateway Plaza, Midwest City, Oklahoma 73110. On that day, I purchased quite a few cleaning supplies and other items. As I proceeded to the checkout and began to put my items on the conveyer belt, the cashier named "Kerri" began to scan my items. She scanned a couple of items and decided she would make comments about my purchases. The first thing she said was "You sure do have a lot of items". I responded back and said "Yes I do". She continued scanning and commented again saying: "You sure have a lot of cleaning supplies". As she continued to scan my items the line of people is getting longer finally she looks up and notice a young white man standing next in line directly behind me. The cashier "Kerri" had the audacity to apologize to him for having to wait on me first with all of my items. She also proceeded to tell him that she wished she would have seen him before she started scanning my things because she would have had him to come up in front of the line ahead of me and checked him out first. I was dumfounded and appalled by the willfully outright blatant act of discrimination and defamation in a public department store as if I were taken back to the Jim Crow Era. As the shock continued of what just happened I began to escalate out of control with my PTSD as I looked around and everyone in line was embarrassed for me including the white man standing behind me. Still stunned and not really knowing what to say or how to feel, I just stood there as she continued addressing me with her racial innuendos. Saying "Since you have all these cleaning supplies, why don't come over and clean my house?". By then Plaintiff began to feel extremely belittle and said to her I am not a MAID! And Why can't you clean your own nasty ass house??!!" Plaintiff was clearly shaken and rattled which led Plaintiff pulling out and swiping the wrong credit cards. Losing my equilibrium and fumbling around to find the right credit card. The supervisor who just outright consciously disregarded what her employee was saying the whole time this episode was going on was standing directly behind cashier "Kerri" Finally she turns around and began speaking to me (the customer) with a condescending tone telling me I was holding up the line!

This of course made matters worse. I then stated to her why in the Hell are you just standing there doing nothing when you see all these people in the line listening to this atrocity instead of you doing your damn job and open another register. She replied; We are shorthanded. Then I replied; Then you should be doing something instead of standing there doing nothing. Only then did she open a lane for the other customers. I contacted the Local Division of Dollar Tree in Oklahoma City and was giving the run around. Plaintiff was eventually contacted by Corporate and was told that this situation would be handle and that the Corporation would be getting back in contact with Plaintiff as soon as Dollar Tree Corporation inspected the Video Recording that Plaintiff requested via recorded telephone interview to be review by the Plaintiff and Dollar Tree Legal Team. It has been almost a year with no contact from Dollar Tree.

WHEREFORE, The Plaintiff prays that Defendants whom is in the position to serve the Public regardless of race, creed, or gender. That Plaintiff be awarded damaged for mental anguish, emotional distress, clinical depression, embarrassment and humiliation; punitive damages, attorney fees and costs; trial by jury on all issues so triable, and all other relief to which the Plaintiff may appear entitled.

Patricia Arpo

RELIEF REQUESTED

WHEREFORE, the Plaintiff requests this Honorable Court grant the following relief:

- Issue a declaratory judgment that Defendants violated the United States Constitution against Plaintiff for exposing her to a Hostile Environment causing her severe pain and suffering of her mental disability of Clinical Depression and PTSD as a Black Female. Not including emotional distress, embarrassment and humiliation.
- 1. Issue an injunction ordering the Defendant's or their agents; refrain from unethical discriminatory practices by changing their Policy and Procedures in their treatment with the public.
- 2. Grant compensatory damages in the following amount:
 - 150,000.00 dollars against Dollar Tree Incorporated;
 - 25,000.00 dollars against Dollar Tree Incorporated Midwest City, Oklahoma, individually
 - 50,000.00 dollars, Certified Certificate of Stock of Dollar Tree Incorporated. For Punitive damages of pain and suffering, clinical depression and PTSD in which escalated from Dollar Tree in Midwest City Oklahoma, emotional distress, embarrassment and humiliation.

Patricia Arpo
4500 Cherry Hill Lane apt 246
Oklahoma City, Oklahoma 73135